

EXHIBIT 39

LDEQ'S RADIOLOGICAL RESPONSES TO HURRICANES KATRINA AND RITA

The Katrina response began on 8/28/05 with a meeting at the DEQ offices to prepare for the DEQ response. A list of contacts for OEC was distributed and assignments were made. The radiological response was assigned to the ERSD.

The W-3 NPP shut down to ensure that all safety precautions were in place ahead of the storm. The NRC monitored the NPPs and kept the State informed of their status.

On 8/31/05 George Brozowski of the EPA called to offer their help. Several states also offered assistance. Outside assistance was requested as needed.

In a telephone call to NRC suggestions for guarding the larger of the Category 1 licensees was requested – NRC suggested that we go through the Governor's office to use the National Guard.

On 9/1/05 a list of licensees in the affected area was sent to NRC. On 9/6/05 a list of licensees was provided to the Army.

On 9/2/05 OEP was visited and a request was made to use the National Guard to secure the larger of the Category 1 licensees, but because of the rescue effort, DEQ was told to have the licensee hire private security. In addition, a list of high priority facilities was provided to State Police with a request to monitor security of facilities as possible. The larger of the Category 1 licensees were especially noted as needing monitoring. State Police was also given a list of all licensees with a request for a periodic check if possible; understanding that establishing order takes priority.

By September 2, staff was allowed to visit the largest of the Category 1 licensees to evaluate security. DEQ assisted this licensee's employees in obtaining a pass from State Police to enter the area to monitor security at the facility. On 9/4/05 it was reported that the St. Charles Parish Sheriff Department is having a deputy drive by the facility periodically. Also, the industrial park in which the facility is located has private security that patrols the area. If either notices anything unusual DEQ will be notified. On 9/8/05 the licensee reported that the facility was staffed 24 hours a day.

Reports of this on-site visit and the other visits made in response to the two hurricanes are available in EDMS.

Also on this date a request was made of the NRC to assist in enlisting DOE's help for a flyover of the area when it became safe to do so. NRC worked with ERSD staff to establish a plan to enter the area if the flyover revealed a need. The Department of Energy at Louisiana's request flew radiological detection equipment over the New Orleans and Lake Pontchartrain areas to ensure no large sources had been removed from their shielding. The DOE flights began on 9/8/05 and continued on 9/9/05; 9/11/05; 9/12/05; and 9/13/05. The flights covered the greater New Orleans area from St. Rose east to Lake Borgne, and Lake Pontchartrain south to the Belle Chasse; and the North Shore area in a strip approximately 10 miles wide from Covington to Slidell, and a strip approximately 5 miles wide from Slidell to Bogalusa. The Area around Bogalusa was about 8 miles wide. No elevated radiation areas were noted. **The map generated by the DOE flyover is available in the ERSD office.**

On 9/3/05 ERSD staff began attempts to contact licensees by telephone and e-mail with limited success. This effort continued throughout the response.

On 9/4/05 Waterford 3 delivered 2 - 800 MHz radios and 2 - NEXTEL phones for emergency communications if needed. The phones worked well, but the radios did not work until later.

The NOUE at Waterford 3 was terminated as of 5:40 PM on Wednesday, September 7, 2005 due to the restoration of offsite power, operational hotlines, and other communication lines. The reactor remained shutdown until the NRC granted re-start approval on 9/9/05.

On or about 9/8/05 site visits to licensee facilities in the Katrina impacted area began, and some follow-up continues. The site visits in the Rita impacted area began on or about 9/27/05 and Rita operations were completed Sept. 30, 2005.

There were 186 locations with over 300 site visits performed in the Katrina impacted area during the initial response; and 72 locations with 83 site visits made in the Rita impacted area.

During site visits the field teams found some hospitals that were not secure. The UIC suggested contact with the FBI for help in securing the buildings. The FBI was contacted and given copies of the licenses in question. The FBI needed the request to come from a federal agency. The NRC made the request, and the FBI assisted in securing facilities.

Radiation field teams also visited 11 General License facilities.

Beginning 11/7/05 sediment samples were collected in the Lower Ninth Ward area to evaluate the radionuclide content. Area surveys with uR meters indicated only background. **The sample results are available in EDMS.**

Early in the response it became clear that answering questions of the federal agencies could be greatly improved if someone from the NRC were available on-site. A suggestion was made that NRC send someone to Louisiana to interface with the UIC and provide info back to headquarters. On 9/14/05 an NRC staff member arrived and proved most helpful not only in communicating with NRC and other federal agencies, but also in assisting with the state's response.

As a result of the lessons learned during the Katrina response, ERSD staff began the process of contacting Lake Charles (Rita) licensees on 9/21/05 to remind them to check security of material before they evacuate, and provide DEQ with the licensee's temporary contact information as soon as possible after the storm passes. In addition, as information became available after the storm, the licensee was requested to provide DEQ with the status of the facility and material.

On 9/23/05 field teams were put on stand by for response to the Lake Charles area. The DCL Senior would coordinate the N.O. effort from Baton Rouge, and the Surveillance Manager would coordinate the Lake Charles effort from Laf. (ULL).

On 9/25/05 a list of licensees in the Lake Charles area was delivered to State Police and the FBI was informed of the list. State Police said licensees should be able to return to check property.

On 9/26/05 Louisiana requested 4 people with field training to help with Federal liaison duties and work on field teams. NRC sent 4 team members on 9/27/05.

On 9/27/05 ERSD staff had some success with calls to LC area licensees and found several facilities staffed. Two licensees call in after the storm.

During the initial response to Hurricane Katrina / Rita it was difficult to contact some licensees and therefore DEQ relied on site visits to evaluate security. By the end of September DEQ was able to move into a phase where contact with the licensees was improving. DEQ began to use a combination of contact by phone or e-mail, and routine inspections to continue to monitor those facilities that require long term follow-up.